



DOCKET NO. 0717.1063-007

**TERMINAL DISCLAIMER TO OBViate A DOUBLE PATENTING
REJECTION OVER A PRIOR PAtENT**

In re Application of: **Duy-Phach Vu, Brenda D. Dingle, Jason E. Dingle and Ng-we Cheong**

Application No.: 10/620,133

Filed: July 15, 2003

Confirmation No.: 7858

For: Method of Forming an Active Matrix Display

The owner, Kopin Corporation of one-hundred (100%) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 5,593,978 B2 and 5,757,445. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

It making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of the full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer set under 37 CFR 1.20(d) is enclosed.

The undersigned is empowered to act on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine and imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may affect the validity of the application or any patent issued thereon.

12/7/04

Dear

21. K. Cho

Signature

Hong K. Choi
Type or printed name

John Corporat

Name of Corporation

2025 RELEASE UNDER E.O. 14176

02/01/2005 CBROWN3 00000001 080380 10620133
01 FC:1814 130.00 no